

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE	:	CHAPTER 13
	:	
CHERLY A. VAUGHN-CURRY, a/k/a	:	CASE NO: 16- 17726ELF
CHERLY B. CURRY	:	
CHERLY CURRY	:	
CHERLY VAUGHN	:	
Debtor	:	
	:	FIRST AMENDED
	:	CHAPTER 13 PLAN
	:	(PRE-CONFIRMATION)
	:	

YOUR RIGHTS WILL BE AFFECTED

If you oppose any provision of this plan you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan

PLAN PROVISIONS

DISCHARGE:

 X The debtor will seek a discharge of debts pursuant to Section 1328(a).

 The debtor is not eligible for a discharge of debts because the debtor has previously received a discharge described in 1328(f).

I. BEST INTERESTS OF THE CREDITORS - If the instant estate were liquidated under Chapter 7 of the Bankruptcy Code, the allowed unsecured claimants would be paid \$0.00. Under this plan, the allowed unsecured claimants will receive not less than that amount.

II. PLAN FUNDING AND LENGTH OF PLAN

A. The plan payments by Debtor shall consist of the total amount previously paid (\$3,640.00) added to the continuing monthly payment in the amount **\$1,125** per month for **56** months (total plan length 60 mos).

Total of Plan Payments: \$66,640.00

III. PAYMENT OF CLAIMS.

A. SECURED CLAIMS

1. Mortgages and Other Direct Payments by Debtor. Payments will be made directly by the Debtor to the following creditors (i.e. paid outside the plan), beginning with the first payment(s) due following the filing date of the Petition:

Name of Creditor	Description of Collateral	Monthly Payment	Principal Balance
Carrington Mortgage Svs (as servicer for mortgagee) Claim No. 6	1341 Farrington Rd. Phila. PA 19151	\$504 (includes escrow)	\$62,013.00

2. Arrears - The Debtor proposes to cure defaults by means of monthly payments to the trustee. Debtor shall pay the lesser of the amount below or the allowed secured claim. Debtor reserves the right to object to any and all of these claims and amend the plan if necessary. Upon payment in full of the below amounts, any prepetition judgment based on this debt shall be vacated and the lawsuit discontinued.

Name of Creditor	Description of Collateral	Pre-petition Arrears to be Cured
Carrington Mortgage Svs (as servicer for mortgagee) Claim No. 6	1341 Farrington Rd. Phila. PA 19151	\$11,230.63

3. Other Secured Claims - Debtor proposes to pay the lesser of the amounts below or the allowed secured claims by means of monthly payments to the trustee. Liens shall be retained until the earlier of: (1) payment of the allowed secured claim; or (2) upon entry of discharge. Upon completion of the preceding event, claimants shall release their liens. Debtor reserves the right to object to any and all of these claims and amend the plan accordingly, if needed.

Name of Creditor	Description of Collateral	Total paid through the plan
Regional Acceptance Corp (Claim No. 2)	2009 Toyota Corolla	\$5,761.13
Interstate Intrinsic Value Fund (Claim No. 4)	1341 Farrington Rd. Philadelphia PA 19151	\$38,748.19
City of Philadelphia (estimated water claim)	1341 Farrington Rd. Philadelphia PA 19151	\$1,000.00

B. PRIORITY CLAIMS.

1. Allowed unsecured claims entitled to priority under section 507 will be paid in full: N/A
2. Administrative Claims
 - a. *Trustee fees.* Percentage fees payable to the trustee will be paid at the rate fixed by the United States Trustee, not to exceed 10%.
 - b. *Attorney's Fees.* Reasonable attorney's fees will be paid by the Trustee from available funds in the Debtor's estate for "basic services" as defined by the representation agreement with Debtor. Supplemental fee applications may be submitted, subject to court approval and availability of estate funds.

C. UNSECURED CLAIMS

1. Claims of General Unsecured Creditors. Allowed unsecured claims shall be paid on a **pro rata** basis after all administrative, priority and/or secured

claims are paid in full. There is no guarantee of a distribution to unsecured creditors.

IV. OTHER PLAN PROVISIONS

- A. Upon completion of this plan, all debts listed in the Debtors' schedules or provided for by this plan, except those excepted by 11 U.S.C. § 1328(a) shall be discharged.
- B. If prior to the expiration of the period set forth in Paragraph II of this plan, the "Total of Plan Payments" identified in Paragraph II is paid in full, this plan shall terminate on that date.

V. ORDER OF DISTRIBUTION. Payments from the plan will be made by the trustee in the following order:

- A. Administrative claims pro rata until attorney's fee is paid in full.
- B. After the application of the appropriate amount each month to the administrative claims, the entire amount of the monthly payment remaining in the hands of the trustee shall be distributed in equal monthly payments, pro rata, to the holders of the allowed secured claims under Paragraph III.A. until each such claimant shall have received 100% of the amount allowed on each claim.
- C. After the administrative, priority, and secured claims are paid in full, the entire amount of the monthly payment remaining in the hands of the trustee shall be distributed, pro rata, to the holders of allowed general unsecured claims pro rata.

/s/ Cherly Vaughn-Curry
Cherly Vaughn-Curry